

STATE OF WISCONSIN  
**Assembly Journal**  
**Eighty-Sixth Regular Session**

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TUESDAY, May 3, 1983.

10:00 A.M.

The assembly met.

Speaker Loftus in the chair.

The prayer was offered by Reverend John Klawiter of Christ Episcopal Church, Chippewa Falls.

Representative Munts led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present -- Andrea, Antaramian, Becker, Bell, Bolle, Bradley, Brist, Buettner, Byers, Chvala, Clarenbach, Coggs, M., Coggs, S., Coleman, Cowles, Crawford, Donoghue, Foti, Gerlach, Gilson, Goetsch, Goodrich, Gronemus, Hasenohrl, Hauke, Helbach, Hephner, Holperin, Holschbach, Huelsman, Jaronitzky, Jauch, Johnson, Kasten, Kunicki, Larson, Lewis, Looby, Luckhardt, McEssy, Manske, Matty, Meaux, Medinger, Menos, Merkt, Metz, Miller, Moyer, Munts, Nelsen, Neubauer, Panzer, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robinson, Rogers, Rooney, Rosenzweig, Rude, Rutkowski, Schneider, Schneiders, Schober, Schultz, Seery, Sell, Shoemaker, Smith, Stewart, Stitt, Stower, Swoboda, Tesmer, Thompson, R., Thompson, T., Travis, D., Travis, R., Tregoning, Turba, Ulichny, Vanderperren, Walling, Williams, Wimmer, Wineke, Wood, Young, Zeuske and Speaker Loftus -- 96.

Absent -- None.

Absent with leave -- Van Gorden -- 1.

Vacancies -- 17th and 48th Assembly Districts -- 2.

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**AMENDMENTS OFFERED**

Assembly substitute amendment 1 to **Assembly Joint Resolution 42** offered by Representatives T. Thompson, Stitt, Radtke, Young, Bradley, Schober, Prosser, Zeuske, Quackenbush, Porter, Stewart, Wimmer, Cowles, Schneiders, Merkt, Larson and Panzer.

Assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 16** offered by Representatives Foti, Jaronitzky, T. Thompson and R. Travis.

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 16** offered by Representatives Foti, Jaronitzky, T. Thompson and R. Travis.

Assembly substitute amendment 1 to **Assembly Bill 136** offered by committee on Judiciary.

Assembly substitute amendment 2 to **Assembly Bill 203** offered by Representative T. Thompson.

Assembly amendment 1 to **Assembly Bill 247** offered by Representative Hephner.

Assembly amendment 2 to **Assembly Bill 247** offered by Representative Hephner.

Assembly amendment 3 to **Assembly Bill 247** offered by Representative Hephner.

Assembly amendment 4 to **Assembly Bill 247** offered by Representatives Roberts, R. Travis, Medinger, Hasenohrl, Vanderperren, Plewa, Quackenbush, Menos and Swoboda, by request of Senator Offner.

Assembly amendment 5 to **Assembly Bill 247** offered by Representative Gerlach.

Assembly amendment 6 to **Assembly Bill 247** offered by Representative Gerlach.

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**INTRODUCTION AND REFERENCE  
OF PROPOSALS**

Read first time and referred:

**Assembly Joint Resolution 45**

Providing for an advisory referendum on the question of enacting the death penalty in this state.

By Representatives Matty, Young, Tregoning, Cowles and Van Gorden, co-sponsored by Senator Roshell.

To committee on Criminal Justice and Public Safety.

**Assembly Joint Resolution 46**

Relating to recommending that the department of public instruction and all school boards in the state participate in an effort to reduce the statewide dairy surpluses through the school lunch programs.

By Representatives Gilson, Hasenohrl, Hephner, Swoboda, Stower, Holperin, Gronemus, Helbach, Roberts, Smith, Wimmer, Goetsch, Coleman and

Shoemaker, co-sponsored by Senators Moen, Harsdorf, Chilsen and Feingold.

To committee on Primary and Secondary Education.

**Assembly Bill 420**

Relating to creating a small claims assessment process to review minor claims by residential property owners of excessive assessment, granting rule-making authority and making an appropriation.

By Representative Hauke.

To committee on Local Affairs.

**Assembly Bill 421**

Relating to a presumption of employment connected disease for police officers applying for benefits under a pension or retirement system.

By Representatives Matty and Williams, co-sponsored by Senator Lasee.

To Joint Survey Committee on Retirement Systems.

**Assembly Bill 422**

Relating to the definition of hours of darkness.

By Representatives Vanderperren, Hasenohrl, Matty, Walling, Smith, Holschbach, Williams, Wood, Gilson, Stower and Van Gorden.

To committee on Highways.

**Assembly Bill 423**

Relating to community service work option in forfeiture actions and authorizing municipal courts to grant equitable relief.

By Representatives Vanderperren, Hasenohrl, Williams, Bolle, Smith, Holschbach, Gronemus, Gilson and Walling.

To committee on Judiciary.

**Assembly Bill 424**

Relating to display of validation stickers on motor vehicle plates and providing a penalty.

By Representatives Vanderperren, Hasenohrl, Smith, Plewa, Potter, Gilson, Stower and Van Gorden.

To committee on Highways.

**Assembly Bill 425**

Relating to school bus drivers' licenses.

By Representatives Vanderperren, Hasenohrl, M. Cogs, Smith, Bolle, Roberts, Holschbach, Williams, Gilson, Stower and Van Gorden.

To committee on Transportation.

**Assembly Bill 426**

Relating to exemptions in regard to the inheritance and gift taxes.

By Representatives Schneiders, Rude, Porter, Huelsman, Merkt, Luckhardt, R. Travis, Panzer, Jaronitzky, Goodrich, Radtke, Young, Donoghue, Cowles, Buettner and Zeuske, co-sponsored by Senators Chilsen and Johnston.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 427**

Relating to methods by which counties and municipalities may finance the cost of revaluing property as required to make full value assessments.

By Representative Rogers, by request of Wayne Lennert, Kaukauna City Assessor.

To committee on Local Affairs.

**Assembly Bill 428**

Relating to increasing the eligible income limit for veterans economic assistance loans.

By Representative Rogers, by request of Lee Vils, Kaukauna.

To committee on Veterans and Military Affairs.

**Assembly Bill 429**

Relating to changing the legal drinking age.

By Representative D. Travis, co-sponsored by Senator Feingold.

To committee on Children and Human Development.

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COMMITTEE REPORTS

The committee on Judiciary reports and recommends:

**Assembly Bill 124**

Relating to court costs in municipal court actions.

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

**Assembly Bill 125**

Relating to bail schedules and guidelines.

Passage: Ayes: (10) Noes: (1)

To committee on Rules.

**Assembly Bill 126**

Relating to waiver of notice in probate procedures.

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

**Assembly Bill 136**

Relating to petitioning and distribution of literature in the common areas of certain shopping centers which are open to the public.

Adoption of assembly substitute amendment 1:

Ayes: (6) Noes: (5)

Indefinite postponement: Ayes: (6) Noes: (5)

To committee on Rules.

JAMES RUTKOWSKI  
Chairperson

The committee on Tourism and Recreation reports and recommends:

**Assembly Bill 9**

Relating to regulation of fishing rafts, granting rule-making authority and providing penalties.

Adoption of assembly amendment 1:

Ayes: (10) Noes: (0)

Passage: Ayes: (9) Noes: (1)

To committee on Rules.

**Assembly Bill 377**

Relating to deer tags and consumption of deer.

Passage: Ayes: (10) Noes: (0)

To committee on Rules.

PATRICIA SMITH  
Chairperson

EXECUTIVE COMMUNICATIONS

State of Wisconsin  
Office of the Governor  
Madison

To the Honorable, the Assembly:

The following bill, originating in the assembly, has been approved, signed and deposited in the office of the Secretary of State:

Assembly Bill	Act No.	Date Signed
21 -----	15 -----	May 3, 1983

Respectfully submitted,  
ANTHONY S. EARL  
Governor

MOTIONS

Representative Johnson asked unanimous consent that the rules be suspended to introduce and take up a joint resolution. Granted.

**Assembly Joint Resolution 47**

Relating to proclaiming May 13, 14 and 15, 1983, Syttende Mai Weekend.

By Representatives Loftus, Johnson, Ulichny, T. Thompson, Rude, Chvala, Gilson, Van Gorden, Cowles, Huelsman, Larson, Radtke, Stewart, Moyer, Manske, Stower and Kasten, co-sponsored by Senators Thompson, Risser and Moen.

The question was: Shall **Assembly Joint Resolution 47** be adopted?

Motion carried.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 47** be immediately messaged to the senate. Granted.

CALENDAR OF THURSDAY, APRIL 28

**Assembly Bill 138**

Relating to restrictions of the sale of certain products containing phosphates and creating a penalty.

The question was: Shall the vote by which **Assembly Bill 138** was ordered to a third reading be reconsidered?

The roll was taken.

The result follows:

Ayes -- Bolle, Bradley, Buettner, Byers, Coleman, Donoghue, Goetsch, Goodrich, Hephner, Huelsman, Kasten, Larson, Luckhardt, McEssy, Matty, Porter, Prosser, Quackenbush, Radtke, Shoemaker, Smith, Stewart, Swoboda, Thompson, T., Tregoning, Turba, Williams, Wimmer, Wood and Young -- 30.

Noes -- Andrea, Antaramian, Becker, Bell, Brist, Chvala, Clarenbach, Coggs, M., Coggs, S., Cowles, Crawford, Foti, Gerlach, Gilson, Gronemus, Hasenohrl, Hauke, Helbach, Holperin, Holschbach, Jaronitzky, Jauch, Johnson, Kunicki, Lewis, Looby, Manske, Meaux, Medinger, Menos, Merkt, Metz, Miller, Moyer, Munts, Nelsen, Neubauer, Panzer, Plewa, Plous, Potter, Roberts, Robinson, Rogers, Rooney, Rosenzweig, Rude, Rutkowski, Schneider, Schneiders, Schober, Schultz, Seery, Sell, Stitt, Stower, Tesmer, Thompson, R., Travis, D., Travis, R., Ulichny, Vanderperren, Walling, Wineke, Zeuske and Speaker Loftus -- 66.

Absent or not voting -- Van Gorden -- 1.

Motion failed.

Representative Prosser moved that **Assembly Bill 138** be referred to the Joint Committee on Finance.

The question was: Shall **Assembly Bill 138** be referred to the Joint Committee on Finance?

The roll was taken.

The result follows:

Ayes -- Bradley, Buettner, Byers, Donoghue, Goetsch, Goodrich, Hephner, Huelsman, Kasten, Larson, Luckhardt, McEssy, Porter, Prosser, Radtke, Smith, Stewart, Thompson, T., Tregoning, Williams, Wimmer, Wood and Young -- 23.

Noes -- Andrea, Antaramian, Becker, Bell, Bolle, Brist, Chvala, Clarenbach, Coggs, M., Coggs, S., Coleman, Cowles, Crawford, Foti, Gerlach, Gilson, Gronemus, Hasenohrl, Hauke, Helbach, Holperin, Holschbach, Jaronitzky, Jauch, Johnson, Kunicki, Lewis, Looby, Manske, Matty, Meaux, Medinger, Menos, Merkt, Metz, Miller, Moyer, Munts, Nelsen, Neubauer, Panzer, Plewa, Plous, Potter, Quackenbush, Roberts, Robinson, Rogers, Rooney, Rosenzweig, Rude, Rutkowski, Schneider, Schneiders, Schober, Schultz, Seery, Sell, Shoemaker, Stitt, Stower, Swoboda, Tesmer, Thompson, R., Travis, D., Travis, R., Turba, Ulichny, Vanderperren, Walling, Wineke, Zeuske and Speaker Loftus -- 73.

Absent or not voting -- Van Gorden -- 1.

Motion failed.

The question was: **Assembly Bill 138** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes -- Antaramian, Becker, Bell, Brist, Chvala, Clarenbach, Coggs, M., Coggs, S., Coleman, Cowles, Crawford, Foti, Gerlach, Gilson, Gronemus, Hasenohrl, Hauke, Helbach, Holperin, Huelsman, Jauch, Johnson, Kunicki, Lewis, Looby, Manske, Matty, Meaux, Medinger, Menos, Merkt, Metz, Miller, Moyer, Munts, Nelsen, Neubauer, Panzer, Plewa, Plous, Potter, Roberts, Robinson, Rogers, Rooney, Rosenzweig, Rude, Rutkowski, Schneider, Schneiders, Schober, Schultz, Seery, Sell, Stewart, Stitt, Stower, Tesmer, Thompson, R., Travis, D., Travis, R., Turba, Ulichny, Vanderperren, Walling, Wineke, Zeuske and Speaker Loftus -- 68.

Noes -- Andrea, Bolle, Bradley, Buettner, Byers, Donoghue, Goetsch, Goodrich, Hephner, Holschbach, Kasten, Larson, Luckhardt, McEssy, Porter, Prosser, Quackenbush, Radtke, Shoemaker, Smith, Swoboda, Thompson, T., Tregoning, Williams, Wimmer, Wood and Young -- 27.

Absent or not voting -- Jaronitzky and Van Gorden - 2.

Motion carried.

Representative Jaronitzky asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Bill 138** be immediately messaged to the senate. Granted.

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#### LEAVES OF ABSENCE

Representative R. Travis asked unanimous consent for a leave of absence for today's session for Representative Van Gorden. Granted.

Representative R. Travis asked unanimous consent to be made a co-author of **Assembly Bill 242**. Granted.

Representative Rooney asked unanimous consent that the assembly stand recessed for one hour. Granted.

The assembly stood recessed.

10:45 A.M.

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#### RECESS

1:25 P.M.

The assembly reconvened.

Representative Johnson asked unanimous consent to return to the second order of business. Granted.

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#### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

##### **Assembly Bill 430**

Relating to vehicle lengths for a motor bus and trailer combination owned by a nonprofit organization.

By Representatives Wood, Vanderperren, Hasenohrl, Bradley and Walling, co-sponsored by Senator Otte.

To committee on Highways.

Representative Johnson asked unanimous consent to return to the fourth order of business. Granted.

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#### MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

##### **Assembly Joint Resolution 47**

Adopted and asks concurrence in:

##### **Senate Joint Resolution 11**

Passed and asks concurrence in:

##### **Senate Bill 91**

Concurred in as amended:

**Assembly Bill 141** (Senate amendments 1, 3, 5 and 6 adopted)

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#### ACTION ON THE SENATE MESSAGE

##### **Senate Joint Resolution 11**

Relating to abolishing the constitutional offices of secretary of state and state treasurer (first consideration).

By Senators Lee, Davis, Johnston, Kleczka and Risser; co-sponsored by Representatives Plewa, Radtke, Medinger, Czarnezki and Gerlach.

To committee on State Affairs.

##### **Senate Bill 91**

Relating to animal fighting and providing penalties.

By Senators Otte, Lee, Moen and Cullen; co-sponsored by Representatives Plous, Vanderperren, D. Travis, Becker, Merkt, Young, Czarnezki, Gilson, Schultz, Matty and Sell.

To committee on Criminal Justice and Public Safety.

##### **Assembly Bill 141**

Relating to the medium security correctional institution in Milwaukee and making appropriations.

By Representatives M. Coggs, Plewa, S. Coggs, Becker, Plous, Kincaid, Gerlach, Sell, Ulichny, Crawford, D. Travis, Jauch, Antaramian, Bell,

Clarenbach, Wineke, Smith, Medinger, Seery, Tesmer, Meaux, Nelsen, Schneiders, Young, Rosenzweig, Gilson, Czarnecki, Neubauer, Rogers and Kunicki, co-sponsored by Senators George, Thompson, Kleczka and Norquist.

To calendar.

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CALENDAR OF MONDAY, MAY 2

**Assembly Bill 294**

Relating to the definition of "occasional sale" for purposes of the sales tax.

The question was: Shall **Assembly Bill 294** be ordered engrossed and read a third time?

Motion carried.

Representative Johnson asked unanimous consent that **Assembly Bill 294** be referred to the Joint Committee on Finance. Granted.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Bill 294** be withdrawn from the Joint Committee on Finance and taken up at this time. Granted.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Bill 294** be given a third reading. Granted.

The question was: **Assembly Bill 294** having been read three times, shall the bill be passed?

Motion carried.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Bill 294** be immediately messaged to the senate. Granted.

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CALENDAR OF TUESDAY, MAY 3

**Assembly Bill 16**

Relating to repair, replacement and refund under new motor vehicle warranties.

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 16** offered by Representatives Holschbach, Plous and Young.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 16** be adopted?

Motion carried.

Representative Holschbach moved rejection of assembly amendment 2 to assembly substitute amendment 1 to **Assembly Bill 16**.

Representative Johnson asked unanimous consent that **Assembly Bill 16** be placed at the foot of the twelfth order of business on today's calendar. Granted.

**Assembly Bill 98**

Relating to making various changes concerning the community development finance authority.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 98** offered by Representative Becker.

The question was: Shall assembly amendment 1 to assembly amendment 1 to **Assembly Bill 98** be adopted?

Motion carried.

The question was: Shall assembly amendment 1 to **Assembly Bill 98** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 98** be ordered engrossed and read a third time?

Motion carried.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Bill 98** be given a third reading. Granted.

The question was: **Assembly Bill 98** having been read three times, shall the bill be passed?

Motion carried.

Representative Johnson asked unanimous consent that the rules be suspended and that **Assembly Bill 98** be immediately messaged to the senate. Granted.

**Assembly Bill 247**

Relating to restrictions on dealings between beer wholesalers and brewers and retailers.

Representative Roberts moved rejection of assembly amendment 1 to **Assembly Bill 247**.

Representative Johnson asked unanimous consent that **Assembly Bill 247** be placed at the foot of the thirteenth order of business on today's calendar. Granted.

**Assembly Bill 16**

Relating to repair, replacement and refund under new motor vehicle warranties.

Representative Johnson asked unanimous consent that **Assembly Bill 16** be placed after **Senate Bill 222** on the thirteenth order of business on today's calendar. Granted.

**Senate Bill 9**

An act to authorize and direct expenditure of a sum sufficient from moneys appropriated to the university of Wisconsin system for payment of a claim against the state made by John C. Weaver.

Representative Rogers asked unanimous consent that **Senate Bill 9** be laid on the table.

Representative Roberts objected.



**JOURNAL OF THE ASSEMBLY [May 3, 1983]**

Representative Johnson moved that the assembly stand adjourned until 11:00 A.M. on Thursday, May 5.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

2:10 P.M.